

procedure or any other procedure that requires deduction of processing costs.

#### **PART 211—LIABILITY FOR ROYALTY DUE ON FEDERAL AND INDIAN LEASES AND RESPONSIBILITY TO REPORT ROYALTY AND OTHER PAYMENTS**

18. The authority citation for part 211 continues to read as follows:

Authority: 5 U.S.C. 301 *et seq.*; 25 U.S.C. 396 *et seq.*, 396a *et seq.*, 2101 *et seq.*; 30 U.S.C. 181 *et seq.*, 351 *et seq.*, 1001 *et seq.*, 1701 *et seq.*; 43 U.S.C. 1301 *et seq.*, 1331 *et seq.*, 1801 *et seq.*

#### **Subpart C—Reporting and Paying Royalties**

19. In section 211.18 as proposed to be added at 60 FR 30500 (June 19, 1995) a new paragraph (c) is added to read as follows:

#### **§ 211.18 Who is required to report and pay royalties?**

\* \* \* \* \*

(c) *Persons who take production allocable to Federal or Indian leases in all other approved Federal or Indian agreements.* This paragraph provides requirements and instructions for reporting and paying royalties and other payments for Federal leases in approved Federal agreements comprised of leases with differing lessors, royalty rates, or fund distributions.

(1) Except as provided in paragraphs (c) (2) and (3) and (d) of this section, if you are an operating rights owner in a Federal lease in an agreement under this paragraph, you must report and pay royalties on your entitled share of production under the terms of the agreement. You must:

(i) File a PIF with MMS as specified in Part 210 of this title and the MMS Payor Handbooks;

(ii) Report the royalties owed for that production on a Form MMS-2014 and follow the instructions provided in Part 210 of this title and the MMS Payor Handbooks; and

(iii) Pay royalties on that production as specified in Part 218 of this title and the MMS Payor Handbooks.

(2) If you are an operating rights owner who meets the definition of a small operating rights owner in § 206.451 of this title, you may report and pay royalties each month on the volume of production you actually take subject to the following criteria:

(i) You must report your takes on Form MMS-2014 using a special code.

(ii) Within 6 months after the end of each calendar year in which you report based on takes, you must pay any additional royalties that may be due on

the difference between your entitled share and the volume of production on which you reported and paid royalties in accordance with 30 CFR § 202.450(d)(1)(iv)(D).

(iii) If the volume of the production on which you reported and paid royalties for the calendar year is equal to or greater than the volume of your entitled share of production for that calendar year, you will not be assessed late payment interest for any sales month during the calendar year in which you underreported volume. However, MMS will assess interest for any reported volumes based on takes if the royalty value for those volumes was not properly reported and paid. MMS will allow a credit for any overtaken volumes in accordance with applicable procedures.

(iv) If the volume of the production on which you report and paid royalties for the calendar year is less than the volume of your entitled share of production for the calendar year, you must:

(A) Report and pay royalties on the difference between the volume of your entitled share of the production for the calendar year and the volume of the production on which you reported and paid under the takes basis; and

(B) Pay interest in accordance with MMS regulations and procedures on any underpaid royalties.

(3) You are not required to report and pay royalties on your entitled share of production under paragraph (c)(1) of this section if all operating rights owners in the agreement agree to assign reporting and payment responsibilities among themselves in an alternative manner that ensures that royalties are reported and paid properly each month on the full volume of production from or attributable to each Federal lease in the agreement.

[FR Doc. 95-27079 Filed 11-3-95; 8:45 am]

BILLING CODE 4310-MR-P

#### **30 CFR Part 211**

RIN 1010-AB45

#### **Liability for Royalty Due on Federal and Indian Leases; Paying and Reporting Royalty and Other Payments**

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Proposed rule; notice of meeting change and further extension of comment period.

**SUMMARY:** The Minerals Management Service (MMS) is rescheduling a public meeting in Houston, Texas, and

extending the comment period for a proposed rulemaking regarding the liability for payments due on Federal and Indian leases and the responsibility to pay and report royalty and other payments (60 FR 54321, October 23, 1995).

The proposal was published in the Federal Register on June 9, 1995 (60 FR 30492). That notice proposes to establish and clarify which persons may be held liable for unpaid or underpaid royalties, compensatory royalties, or other payments on Federal and Indian mineral leases. The proposed rule also would establish who is required to report and pay royalties on production from leases not in approved Federal or Indian agreements or leases in approved Federal or Indian agreements containing 100 percent Federal or Indian tribal leases with the same lessor, the same royalty rate, and the same royalty distribution. MMS is further extending the comment period for this rule to January 26, 1996, from January 8, 1996 (60 FR 38533, July 27, 1995, and 60 FR 45112, August 30, 1995). Also, MMS is rescheduling the public meeting announced in the Federal Register (60 FR 54321, October 23, 1995) from November 29 and 30, 1995, to January 10 and 11, 1996. The meeting is to allow all interested parties an opportunity to discuss the proposed rulemaking. Interested parties are invited to attend and participate at this meeting. The meeting has been rescheduled as shown below.

**DATES:** A public meeting will be held on Wednesday January 10, and if necessary Thursday, January 11, 1996, from 9:00 a.m. until 5:00 p.m. Comments must be received on or before January 26, 1996.

**ADDRESSES:** The meeting will be held in Room 104, first floor, at the Houston Compliance Division Office, Minerals Management Service, 4141 North Sam Houston Parkway East, Houston, Texas, 77032. Comments should be sent to: David S. Guzy, Chief, Rules and Procedures Staff, Minerals Management Service, Royalty Management Program, P.O. Box 25165, MS 3101, Denver, Colorado 80225-0165, telephone (303) 231-3432, fax (303) 231-3194, e-Mail David\_Guzy@smtp.mms.gov.

**FOR FURTHER INFORMATION CONTACT:** David S. Guzy, Chief, Rules and Procedures Staff, Minerals Management Service, Royalty Management Program, telephone (303) 231-3432, fax (303) 231-3194, e-Mail David\_Guzy@smtp.mms.gov. Please contact Betty Casey at the Houston Compliance Division Office at telephone (713) 987-6802, fax (713) 987-6804

prior to December 21 if you will be attending this meeting.

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public without advance registration. Public attendance may be limited to the space available. Members of the public may make statements during the meeting, to the extent time permits, and are encouraged to file written statements for consideration.

Dated: October 31, 1995.

Donald T. Sant,

*Deputy Associate Director for Valuation and Operations.*

[FR Doc. 95-27419 Filed 11-3-95; 8:45 am]

BILLING CODE 4310-MR-P

## National Park Service

### 36 CFR Part 7

#### Cape Cod National Seashore Off-Road Vehicle Use Negotiated Rulemaking Advisory Committee

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice of meeting.

**SUMMARY:** Notice is hereby given in accordance with the Federal Advisory Committee Act (5 U.S.C., Appendix), that a meeting of the Cape Cod National Seashore Off-Road Vehicle Use Negotiated Rulemaking Advisory Committee will be held on Thursday and Friday, November 16 and 17, 1995.

**DATES:** The meetings will be held at 9 a.m. on November 16 and 17, 1995.

**ADDRESSES:** The meetings will be held at the Sheraton Eastham, Route 6, Eastham, MA.

**FOR FURTHER INFORMATION CONTACT:** Maria Burks, Superintendent, Cape Cod National Seashore, South Wellfleet, MA 02663, 508-349-3785 EXT 203.

**SUPPLEMENTARY INFORMATION:** The Committee members will meet for the third of three, two-day meetings which will be held for the following reasons:

November 16, 1995—Thursday

1. Discussion of Proposed Agenda
2. Review and Discussion of Proposed Draft Rule
3. Public Participation Period
4. Adjournment

November 17, 1995—Friday

1. Review and Discussion of Proposed Draft Rule
2. Public Participation Period
3. Adjournment

The meeting is open to the public. It is expected that 75 persons will be able to attend the meeting in addition to the Committee members.

The Committee was established pursuant to the Negotiated Rulemaking Act of 1990 (5 U.S.C. 561-570). The purpose of the Committee is to advise the National Park Service with regard to proposed rulemaking governing off-road vehicle use at Cape Cod National Seashore.

Interested persons may make oral/ written presentations to the Committee during the business meeting or file written statements. Such presentations may be made to the Committee during the Public Participation Period the day of the meeting, or in writing to the Park Superintendent at least seven days prior to the meeting.

Dated: October 27, 1995.

Chrysandra L. Walter,

*Deputy Field Director, Northeast Area.*

[FR Doc. 95-27387 Filed 11-3-95; 8:45 am]

BILLING CODE 4310-70-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 95-164, RM-8716]

#### Radio Broadcasting Services; Cornell, WI

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Flambeau Broadcasting Co., proposing the allotment of Channel 260C3 to Cornell, Wisconsin, as that community's first local service. Canadian concurrence will be requested for the allotment of Channel 260C3 at Cornell at coordinates 45-10-56 and 91-12-20. There is a site restriction 4.9 kilometers (3 miles) west of the community.

**DATES:** Comments must be filed on or before December 22, 1995, and reply comments on or before January 8, 1996.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Gary Johnson, Flambeau Broadcasting, P.O. Box 351, Ladysmith, Wisconsin 54858.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-164, adopted October 20, 1995, and released October 31, 1995. The full text of this Commission decision is available

for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 95-27361 Filed 11-3-95; 8:45 am]

BILLING CODE 6712-01-F

### 47 CFR Part 73

[MM Docket No. 95-163; RM-8715]

#### Radio Broadcasting Services; Wilson Creek, WA, and Pendleton, OR

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Wilson Creek Communications, LLC, proposing the substitution of Channel 278C1 for Channel 277C3 at Wilson Creek, Washington, and the modification of Station KVVY(FM)'s license accordingly. To accommodate the upgrade, petitioner also proposes the substitution of Channel 279C1 for Channel 278C1 at Pendleton, Oregon, and the modification of Station KWHT(FM)'s license accordingly. Channel 278C1 can be allotted to Wilson Creek in compliance with the Commission's minimum distance separation requirements with a site restriction of 1.1 kilometers (0.7 miles) south to avoid a short-spacing to the proposed allotment for Channel 279B, Rock Creek, British Columbia. The